

MINUTES
CITY COUNCIL MEETING
CITY OF FARMINGTON HILLS
OCTOBER 27, 2014 – 7:30 PM
CITY HALL – COUNCIL CHAMBER

The regular meeting of the Farmington Hills City Council was called to order by Mayor Brickner at 7:35 p.m.

Council Members Present: Brickner, Bridges, Bruce, Knol, Lerner, Massey and Steckloff

Council Members Absent: None

Others Present: City Manager Brock, City Clerk Smith, Assistant City Manager Boyer, Directors Gardiner and Gajda and City Attorney Joppich

PLEDGE OF ALLEGIANCE

John Anhut, Chairman of the Economic Development Corporation, led the pledge of allegiance.

APPROVAL OF AGENDA

MOTION by Massey, support by Bruce, to approve as published.

MOTION CARRIED 7-0.

COMMISSION FOR ENERGY AND ENVIRONMENTAL SUSTAINABILITY “TIP OF THE MONTH”

Commission for Energy and Environmental Sustainability
Tip of the Month
October 27, 2014
Read by Randy Bruce

Did you know that you can save as much as 10% on your energy bills by addressing the air leaks around your home? Use these tips to identify and seal out old man winter before he gets here.

- Test your home for air tightness. On a windy day, hold a smoke pen or damp hand next to your windows, doors, electrical boxes, plumbing fixtures, electrical outlets, ceiling fixtures, attic hatches, and other places where air may leak. If the smoke stream travels horizontally, you have located an air leak that may need caulking, sealing, or weather stripping.
- Caulk and weather strip doors and windows that leak air.
- Caulk and seal air leaks where plumbing, ductwork, or electrical wiring come through walls, floors, ceilings, and soffits over cabinets.
- Install foam gaskets behind outlet and switch plates on walls.
- Inspect dirty spots in your insulation for air leaks and mold. Seal leaks with low-expansion spray foam made for this purpose and install house flashing if needed.

- Look for dirty spots on your ceiling paint and carpet, which may indicate air leaks at interior wall/ceiling joints and wall/floor joists, and caulk them.
- Cover single-pane windows with storm windows or replace them with more efficient double-pane low-e windows.
- Use foam sealant on larger gaps around windows, baseboards, and other places where air may leak out.
- Replace door bottoms and thresholds with ones that have pliable sealing gaskets.
- Seal air leaks around fireplace chimneys, furnaces, and gas-fired water heater vents with fire-resistant materials such as sheet metal or sheetrock and furnace cement caulk.

Don't forget - your actions can help your community win \$5 million in the Georgetown University Energy Prize. We all Save – We all Win! For more information, visit www.sustainablefh.gov.

CORRESPONDENCE

Several items of correspondence were acknowledged by Council. Several items of correspondence related to the proposed Human Rights Ordinance and proposed amendment to the Animal Ordinance discussed at the study session meeting last week.

CONSENT AGENDA

MOTION by Massey, support by Bridges, to approve the Consent Agenda as published.

Roll Call Vote:

Yeas:	BRICKNER, BRIDGES, BRUCE, KNOL, LERNER, MASSEY, AND STECKLOFF
Nays:	NONE
Absent:	NONE
Abstentions:	NONE

MOTION CARRIED 7-0

PUBLIC QUESTIONS AND COMMENTS

None

COUNCIL MEMBER'S COMMENTS AND ANNOUNCEMENTS

The following announcements were made:

- Botsford Hospital has initiated a \$160,000,000 upgrade to the Botsford campus in Farmington Hills
- Wellness Center is opening at 25882 Orchard Lake Road
- New Hair Salon is opening at 29421 W. 12 Mile Road
- A joint meeting between Farmington Hills, Farmington, and the Farmington Public Schools was held with each division providing an update. Discussion was held on the road millage proposals in Farmington and Farmington Hills and the school millage that will be held in May of 2015.
- The Suicide Awareness work that has been done through Farmington SAFE has been noticed and accepted by the National League of Cities. At the upcoming meeting of the National League of

Cities, Farmington SAFE will be presented so that other cities can emulate this successful program

CITY MANAGER UPDATE

City Manager Brock provided the following update:

- The Road Millage is on the November 4th ballot. Royal Oak also has a Road Millage on their ballot. The Farmington Hills millage is for up to 2 mills and every year the City will review what the State is doing with roads so the millage can be adjusted as needed.
- There will be a Riparian Owners Workshop will be held on November 6, 2014 at 6:30pm for those living along the waterways or for anyone who is interested.
- Halloween is Friday, and the City has no prescribed hours for trick-or-treating.
- The curbside yard material program will end the last week in November. The schedule for the program may change next year to start one week later so that it can be extended one week longer in the fall.

City Clerk Smith stated that the Clerk's Office reported that the Clerk's Office will be open on Saturday, November 1, 2014 from 8:30 a.m. to 2:00 p.m. and that is the last day her office can mail an Absent Voter Ballot. She added that Monday, November 3rd is the last day a voter can receive an Absent Voter ballot in person up until 4:00 p.m. only and the ballot must be voted and returned to the Clerk at City Hall that day.

Mayor Brickner reminded everyone about turning the clocks back an hour Saturday evening for Daylight Saving Time and changing the batteries in their smoke detectors.

NEW BUSINESS

CONSIDERATION OF APPROVAL OF AN INTRODUCTION OF AN ORDINANCE TO AMEND CHAPTER 7, "BUILDINGS AND BUILDING REGULATIONS," BY ADDING ARTICLE VIII, "SINGLE-FAMILY RENTAL DWELLINGS."

City Attorney Joppich stated that the ordinance presented has been discussed by City Council several times in study session. He explained that the proposed ordinance sets up a registration and inspection program for single family rental units within the City. It identifies the Planning Department as being the department with which to register and requires inspections every three (3) years or a shorter duration if there are complaints regarding the condition of the dwelling. He reviewed the proposed ordinance with Council and welcomed any suggestions with regard language changes. Attorney Joppich commented that the goal is to create an ordinance that fits the needs of City of Farmington Hills.

Mayor Brickner expressed concern with the language regarding evictions. He also was concerned that homes purchased for ones children but owned by the parents would fall under this ordinance and require registration and inspections. He did not believe that was the intent of City Council to include such homes.

City Attorney Joppich confirmed that as the ordinance is currently drafted, those homes would have to be registered and inspected.

Councilmember Bridges asked Director Gardiner the City's position on a rental inspection program for single family homes.

Director Gardiner stated that the policy decisions are derived by City Council and his department will enforce ordinances as they are adopted. He added that the City currently has a property maintenance code that is enforced and they will continue to enforce that ordinance for single family home owners.

MOTION by Bruce, support by Massey, that the City Council of Farmington Hills hereby approves the INTRODUCTION of an Ordinance to amend Chapter 7, "Buildings and Building Regulations," by adding Article VIII, "Single-Family Rental Dwellings,"

Mayor Pro Tem Bruce stated that he has had experience with parents that are absentee home owners and the doors have been torn off the house and abandoned cars stored on the front lawn. He did not feel this was an overly onerous process to have the home inspected every three years and feels that the ordinance requirements are reasonable.

Councilmember Lerner commented that he believes these types of issues could be addressed under current ordinances and that the issue is more about enforcement. He asked Director Gardiner to confirm that these types of issues would be addressed under the current ordinance requirements.

Director Gardiner confirmed items such as abandoned vehicles and damaged doors would be covered under the blight ordinance for owner occupied or rental homes.

There was further discussion regarding children living in a home owned by their parents.

Councilmember Bruce stated that he is in favor of this ordinance because much of the housing stock in Farmington Hills is aging and this program would help to maintain homes in the city.

Councilmember Steckloff asked if there are any exceptions with the State that have to do with transfer of houses to children or estates.

City Attorney Joppich stated that if the child has an owner interest in the home through an estate or trust they would not be affected by this ordinance.

Mayor Brickner asked Director Gardiner the estimated amount of homes that would fall under the criteria of this ordinance for inspection at this time.

Director Gardiner responded that the first step, if this ordinance were passed, would be to identify the rental properties. He stated that there are approximately 5,000 non-homestead dwellings, and he would guess approximately 2,500 homes may fall under the ordinance requirements.

Councilmember Knol stated that she is in favor of this ordinance because it is a proactive measure to take care of the aging housing stock and would allow for code enforcement personnel the ability to better utilize their time since they would know where the houses are that need to be inspected.

Councilmember Bridges felt that the existing issues could be addressed under current ordinances and that there was nothing to warrant this new ordinance.

There was discussion regarding the cost of the registration. City Manager Brock stated that if the ordinance was Introduced this evening, staff would review details of the program and provide for a cost of the registrations.

Attorney Joppich added that costs are typically approved by resolution of City Council and this could be done at the time of Enactment of the Ordinance.

Councilmember Massey stated that he is in favor of this ordinance due to the aging housing stock and has also had experience with rental homes not being maintained in his neighborhood.

City Attorney Joppich suggested some revisions to the ordinance to remove language with regard to evicting tenants and to revise language to allow for parents to own the home and have their children live in the home without requiring registration or inspection under this ordinance.

MOTION by Bruce, support by Massey, that the City Council of Farmington Hills hereby approves the INTRODUCTION of an Ordinance to amend Chapter 7, "Buildings and Building Regulations," by adding Article VIII, "Single-Family Rental Dwellings," with the suggested amendments.

Roll Call Vote:

Yeas: BRUCE, KNOL, MASSEY, AND STECKLOFF
Nays: LERNER, BRIDGES, BRICKNER
Absent: NONE
Abstentions: NONE

MOTION CARRIED 4-3

There was discussion regarding the need for more code enforcement officers due to this new program. City Manager Brock responded that this would need to be determined if the ordinance is enacted at the next meeting and a program is developed.

CONSIDERATION OF APPROVAL OF AN INTRODUCTION OF AN ORDINANCE TO AMEND CHAPTER 6, "ANIMALS," ARTICLE II, SECTIONS 6-31 AND 6-34, TO AMEND THE DEFINITION OF "REASONABLE CONTROL" OF A DOG AND DELETE THE DEFINITION OF "UNDER THE ORAL CONTROL," AND TO ESTABLISH AN EXCEPTION TO LEASH REQUIREMENT IN A PUBLICLY OWNED AND OPERATED DOG PARK

Mayor Brickner stated that this matter was also discussed in a Study Session. He explained that the language "under oral control" was being removed from the ordinance and a dog would be required to be on a leash when off of its own property, with the exception of when it was in a publicly owned and operated dog park.

MOTION by Bruce, support by Bridges, that the City Council of Farmington Hills hereby approves the INTRODUCTION of an Ordinance to amend Chapter 6, "Animals," Article II, Sections 6-31 and 6-34, to amend the definition of "Reasonable Control" of a dog and delete the definition of "Under the Oral Control," and to establish an exception to leash requirements for dogs in a publicly owned and operated dog park.

Roll Call Vote:

Yeas: BRICKNER, BRIDGES, BRUCE, KNOL, LERNER, MASSEY, AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0

CONSIDERATION OF APPROVAL OF APPOINTMENT OF VOTING DELEGATE AND ALTERNATE VOTING DELEGATE FOR THE NATIONAL LEAGUE OF CITIES ANNUAL MEEETING ON NOVEMBER 22, 2014

MOTION by Bridges, support by Knol, that the City Council of Farmington Hills hereby approves the appointment of Councilmember Ken Massey as voting delegate and City Manager

Steve Brock as alternate voting delegate for the National League of Cities Annual Meeting on November 22, 2014.

MOTION CARRIED 7-0

CONSENT AGENDA

RECOMMENDED APPROVAL OF ESTABLISHMENT OF A SPECIAL ASSESMENT DISTRICT FOR ROAD IMPROVEMENT FOR ORCHARD WEST SUBDIVISION AND ESTABLISHING THE DATE OF NOVEMBER 24, 2014 FOR THE PUBLIC HEARING OF DETERMINATION CMR 10-14-102

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby adopts Resolution No.1 establishing the boundary of a special assessment district for hard surface road improvements for the Orchard West Subdivision to include the properties outlined in CMR 10-14-102; and

IT IS FURTHER RESOLVED, that City Council hereby adopts Resolution No. 2 establishing the date of November 24, 2014 for the public hearing of necessity to proceed.

Roll Call Vote:

Yeas:	BRICKNER, BRIDGES, BRUCE, KNOL, LERNER, MASSEY, AND STECKLOFF
Nays:	NONE
Absent:	NONE
Abstentions:	NONE

MOTION CARRIED 7-0

RECOMMENDED APPROVAL OF ESTABLISHMENT OF A SPECIAL ASSSSMENT DISTRICT FOR ROAD IMPROVEMENT FOR WOODBROOK SUBDIVISION AND ESTABLISHING THE DATE OF NOVEMBER 24, 2014 FOR THE PUBLIC HEARING OF DETERMINATION CMR 10-14-103

MOTION by Massey, support by Bridges, , that the City Council of Farmington Hills hereby adopts Resolution No.1 establishing the boundary of a special assessment district for hard surface road improvements for the Woodbrook Subdivision to include the properties outlined in CMR 10-14-103; and

IT IS FURTHER RESOLVED, that City Council hereby adopts Resolution No. 2 establishing the date of November 24, 2014 for the public hearing of necessity to proceed.

Roll Call Vote:

Yeas:	BRICKNER, BRIDGES, BRUCE, KNOL, LERNER, MASSEY, AND STECKLOFF
Nays:	NONE
Absent:	NONE
Abstentions:	NONE

MOTION CARRIED 7-0

RECOMMENDED APPROVAL OF AWARD OF BID TO PRESSURE VESSEL TESTING FOR REPLACEMENT OF THE COMPRESSOR/BREATHING AIR RECHARGE SYSTEM FOR FIRE STATION #4 IN THE AMOUNT OF \$35,500. CMR 10-14-104

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby authorizes the City Manager to issue a purchase order to Pressure Vessel Testing in the amount of \$35,500 (including trade-in) for the replacement of the compressor/breathing air recharge system for Fire Station #4.

Roll Call Vote:

Yeas:	BRICKNER, BRIDGES, BRUCE, KNOL, LERNER, MASSEY, AND STECKLOFF
Nays:	NONE
Absent:	NONE
Abstentions:	NONE

MOTION CARRIED 7-0

ACKNOWLEDGEMENT OF THE QUARTERLY INVESTMENT AND QUARTER FINANCIAL SUMMARY REPORTS

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby acknowledges the quarterly investment and first quarter financial summary reports.

Roll Call Vote:

Yeas:	BRICKNER, BRIDGES, BRUCE, KNOL, LERNER, MASSEY, AND STECKLOFF
Nays:	NONE
Absent:	NONE
Abstentions:	NONE

MOTION CARRIED 7-0

RECOMMENDED APPROVAL OF THE CITY COUNCIL STUDY SESSION MEETING MINUTES OF OCTOBER 13, 2014

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby approves the Study Session Meeting Minutes of October 13, 2014.

Roll Call Vote:

Yeas:	BRICKNER, BRIDGES, BRUCE, KNOL, LERNER, MASSEY, AND STECKLOFF
Nays:	NONE
Absent:	NONE
Abstentions:	NONE

MOTION CARRIED 7-0

RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR MEETING MINUTES OF OCTOBER 13, 2014

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby approves the Regular Meeting minutes of October 13, 2014.

Roll Call Vote:

Yeas:	BRICKNER, BRIDGES, BRUCE, KNOL, LERNER, MASSEY, AND STECKLOFF
Nays:	NONE
Absent:	NONE
Abstentions:	NONE

MOTION CARRIED 7-0

RECOMMENDED APPROVAL OF ENTERING INTO AN EXECUTIVE SESSION IMMEDIATELY FOLLOWING THE REGULAR MEETING IN ORDER TO DISCUSS THE CITY MANAGER'S REVIEW

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby approves entering into an executive session immediately following the regular meeting in order to discuss the City Manager's review.

Roll Call Vote:

Yeas:	BRICKNER, BRIDGES, BRUCE, KNOL, LERNER, MASSEY, AND STECKLOFF
Nays:	NONE
Absent:	NONE
Abstentions:	NONE

MOTION CARRIED 7-0

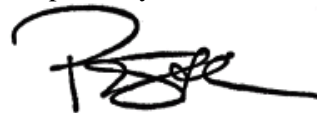
TOPICS FOR CONSIDERATION AT THE NEXT CITY COUNCIL MEETING

Mayor Brickner mentioned potential topics for the next regular City Council meeting of November 10, 2014.

ADJOURNMENT

Mayor Brickner adjourned the regular City Council meeting at 9:03 p.m.

Respectfully submitted,



Pamela B. Smith, City Clerk